

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERTO RIVERA,
Plaintiff,

CIVIL ACTION

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security
Administration,
Defendant.

NO. 16-4118

ORDER

AND NOW, this 20th day of November, 2017, upon consideration of Plaintiff's Request for Review (Document No. 90, filed November 29, 2016), the record in this case, the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, dated October 30, 2017, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, dated October 30, 2017, is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED** to the extent plaintiff seeks a remand to the Acting Commissioner of Social Security and **DENIED** in all other respects; and,
3. The case is **REMANDED** to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, dated October 30, 2017.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.